Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 14-16, 18, 20-26 and 30-54

are pending in the application, with 1, 14, 16, 18, 21, 30, and 49 - 54 being the

independent claims. Claims 2-13, 17, 19, and 27 were canceled in a previous

amendment. Claims 28 and 29 are sought to be canceled without prejudice to or

disclaimer of the subject matter therein. Claims 1, 14, 16, 18, 21, 30, 33, 36, 39, 42, and

45-51 are sought to be amended. New claims 52-54 are sought to be added. These

changes are believed to introduce no new matter, and their entry is respectfully

requested.

Based on the following remarks, Applicants respectfully request that the

Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112

On page 3 of the Office Action, claims 33, 36, 39, 42, 45, and 48 were rejected

under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to

particularly point out and distinctly claim the subject matter which Applicants regard as

the invention. Applicants have amended the rejected claims to address the alleged

deficiencies, and respectfully request that the rejection be reconsidered and withdrawn.

Rejections under 35 U.S.C. § 102

On page 3 of the Office Action, claims 1, 14-16, 18, 20-26 and 28-51 were

rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,862,325 to

Reed et al. (hereinafter Reed). Applicants respectfully traverse the rejection, and request

that it be withdrawn.

Differences exist between Reed and the claimed embodiments of the present

invention. For example, new claim 52 recites the following:

> maintaining state information on the device, wherein the
> state information is data representative of at least one
> resource of the device.

Reed does not teach or suggest this feature of claim 52. On page 3 of the Office

Action, the Examiner cites sections of Reed and asserts that they teach "provisions for

monitoring and maintaining the communications status of a user and maintaining version

data for service and communication objects of the consumer devices." Applicants

disagree with the Examiner's characterization. However, even assuming *arguendo* that

Reed describes what the Examiner alleges, such a description would not teach or suggest

maintaining state information, as recited in claim 52. In particular, operations on a

communications status, version data for service and communication objects do not

specify data representative of a resource of a *device*. Rather, they specify data

representative of an object or of the status of a *user* within the communication system.

Both the status of a user and the version of an object are not device specific.

The state information recited in claim 52 (and the other independent claims) is

device dependent. They enable the device receiving information (such as, but not limited

to, a PDA) to display the information in a manner that takes into consideration the

resources of the device (such as, but not limited to, the screen size of the device or the

operating system being run on the device). The sections of Reed cited by the Examiner

do not teach or suggest device dependent features. Rather, they, at most, describe

communication system dependent features such as a version of an object within the

system or a user's communication status. Provisions for monitoring and maintaining

such features are based on protocols implemented in a communication system and not

data representative of at least one resource of a device.

As best understood, in col. 22, lines 5-14, Reed describes attributes of

communication objects such as pages, SystemID, and markup language version used to

generate instances of the object. In col. 30, lines 49-62, Reed describes how multiple

versions of a communication object are handled. In some cases, multiple versions of a

communications object may be retained so a user can revert to previous versions of the

communications object. The number of retained versions depends on global preference

attributes or a communication object preference attribute and one or more archiving

rules. In col. 92, line 24 - col. 93, line 29 of Reed, techniques dealing with multiple

versions of a communications object are further described. In one technique, each time a

new version of a communication object is created, a network address is generated and

stored in the communications object along with the current date and time. Next, a copy

of a previous version of the communications object is renamed and stored on the local or

network file system. Both the current and renamed objects are then sent to the server.

Whenever a new object is received at the consumer, version monitoring is done to ensure

version synchronization between the server and the consumer. Another technique is to

have the consumer submit the UID and the version value of the communications object

to be updated to the server. The server then sends the consumer all missing versions.

Certain parameters, such as user preferences, may also be considered in monitoring the

version of a communications object. Previous versions can also be archived as backups

to prevent data loss in the case of corruption, hardware failures, etc.

Accordingly, Reed describes a process for handling multiple versions based on

information stored in the communication object, system preferences (such as global

preference attributes), or user preferences. In contrast to the claimed invention, Reed

does not teach or suggest "maintaining state information on the device, wherein the state

information is data representative of at least one resource of the device" or "processing

said event on the device based at least on the state information to recover the data object

in a format suitable to the device."

In col. 98, lines 35-61, Reed describes monitoring the versions of a service

object. Push and pull techniques can be used to ensure current versions of a service

object are in needed locations of the system. Whenever a method call is made, version

monitoring is used to ensure the most current version of the service object is used.

Applicants assert that a version of a service object is not device specific information and

does not constitute data representing at least one resource of a device.

In col. 141, lines 22-45, Reed describes how the addition of API functions allow

programs to monitor the communications status of a user. Using an API telephony call,

programs may determine if a user was on the telephone and may forward information to

the user accordingly by other means, such as a cellular phone. Applicants assert that this

portion of Reed describes operations relating to information of a user and does not teach

or suggest maintaining data representative of at least one resource of the device.

Thus, Applicants respectfully assert that Reed does not teach or suggest

"maintaining state information on the device, wherein the state information is data

representative of at least one resource of the device" or "processing said event on the device based at least on the state information to recover the data object in a format suitable to the device," as recited in claim 52. Accordingly, Applicants respectfully assert that claim 52 and its dependent claims are patentable over Reed.

Independent claims 1, 14, 16, 18, 21, 30, 49-51, 53 and 54 recite similar features as claim 52. Accordingly, for at least the above reasons, Applicants respectfully assert that claims 1, 14, 16, 18, 21, 30, 49-51, 53 and 54 and their respective dependent claims are patentable over Reed.
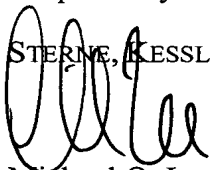
- 23 -
Reply to Office Action of January 8, 2007

BAYNES *et al.*
Appl. No. 09/950,005

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.
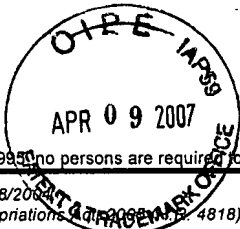
Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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APR 09 2007

FEE TRANSMITTAL
For FY 2007

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	($)	650.00

Complete if Known

Application Number	09/950,005
Filing Date	September 12, 2001
First Named Inventor	Robert W. BAYNES, Jr.
Examiner Name	Shingles, Kristie D.
Art Unit	2141
Attorney Docket No.	1933.0050001

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account   Deposit Account Number: **19-0036**   Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

☐ Charge fee(s) indicated below, **except for the filing fee**

☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
Application Type	**Fee ($)**	**Small Entity Fee ($)**	**Fee ($)**	**Small Entity Fee ($)**	**Fee ($)**	**Small Entity Fee ($)**	**Fees Paid ($)**
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims		Extra Claims	Fee ($)	Fee Paid ($)
36				
37 - 20 or HP =		1	x 50.00 =	50.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims		Extra Claims	Fee ($)	Fee Paid ($)
9				
12 - 3 or HP =		3	x 200.00 =	600.00

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims

Fee ($)	Fee Paid ($)
_____	_____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee ($)	Fee Paid ($)
_____ - 100 =	_____ / 50 =	_____ (round up to a whole number) x	_____ =	_____

4. OTHER FEE(S)

Fees Paid ($)

Non-English Specification, $130 fee (no small entity discount)   _____

Other (e.g., late filing surcharge): _____   _____

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 35,239	Telephone (202) 371-2600
Name (Print/Type) Michael Q. Lee			Date April 9, 2007

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